

**TOWN PLAN AND ZONING COMMISSION REGULAR MEETING MINUTES  
MONDAY, NOVEMBER 3, 2014 – LEGISLATIVE CHAMBER, ROOM 314,  
TOWN HALL, WEST HARTFORD, CT 06107**

**CALL TO ORDER/ROLL CALL: 7:00 P.M.**

**MATTERS FOR PUBLIC HEARING SHALL BE CALLED AT 7:15 P.M.**

**ATTENDANCE:** Kevin Ahern, Chair; Kevin Prestage, Vice Chair; Commissioners: Paul Freeman and Michael Seder; Alternate: Liz Gillette; Todd Dumais, Town Planner/Secretary to TPZ; Catherine Dorau, Associate Planner; Patrick Alair, Corporation Counsel.

**ABSENT:** Commissioners: Jeffrey Daniels; Alternates John O'Donnell and Michele Maresca

**MINUTES:**

1. Approval of Minutes:

a. Minutes of Regular Meeting, Monday, October 6, 2014. **TABLED**

**COMMUNICATIONS:**

2. *None*

**NEW BUSINESS:**

**180 Wood Pond Road** - Application (IWW #1012) of Penfield Jarvis, Trustee (James Thompson, P.E., Contact) requesting approval of an Inland Wetlands and Watercourses Permit to conduct certain regulated activities which may have an adverse impact on a wetland and watercourse area (Wood Pond). The applicant proposes to install 6" sewer lateral in order to provide sanitary sewer service to the home. All construction will conform with the MDCs standard requirements and specifications. (Submitted for IWWA receipt on November 3, 2014. Presented for determination of significance.)

After a detailed review of the application and its related exhibits and after consideration of staff technical comments, the IWWA acted by **unanimous vote (5-0)** (Motion/Gillette; Second/Freeman) (Gillette seated for Daniels) to find the proposed regulated activity to be **POTENTIALLY SIGNIFICANT** and set this matter for public hearing on **Monday**, December 1, 2014 at 7:15 P.M. in the Legislative Chamber, Room 314, West Hartford Town Hall, 50 South Main Street.

\*\*\*\*\*

**1341 New Britain Avenue** - Application (IWW #1013) of The Metropolitan District (Kate Biedron, Contact) requesting approval of an Inland Wetlands and Watercourses Permit to conduct certain regulated activities which may have an adverse impact on a wetland and watercourse area. The applicant proposes to rehabilitate sewer pipes and manholes near Wolcott Park. (Submitted for IWWA receipt on November 3, 2014. Presented for determination of significance.)

After a detailed review of the application and its related exhibits and after consideration of staff technical comments, the IWWA acted by **unanimous vote ( 5-0 )** (Motion/Seder; Second/Freeman) (Gillette seated for Daniels) to find the proposed regulated activity to be **NON-SIGNIFICANT**. The IWWA directed that the wetland permit be issued subject to full compliance with Town Erosion and Sedimentation Control requirements and the following conditions:

1. The erosion and sedimentation controls should adhere to the Town of West Hartford standards and should meet or exceed specifications set forth in 2002 Connecticut Guidelines for Soil Erosion and Sediment Control. This should be clearly noted on the plan and conveyed to the contractor.

By this letter the IWWA is transmitting a notice of IWW permit approval. Please note that consistent with Section 9.1 of the Town of West Hartford Inland Wetlands and Watercourses Regulations, the effective date of this permit is November 18<sup>th</sup>, 2014. This notice is given to the West Hartford Town Clerk and to the State of Connecticut Department of Environmental Protection per the requirements of the Inland Wetlands and Watercourses Regulations.

\*\*\*\*\*

**200 Newington Road** – Application (IWW #1017) of Ronald Webber, Applicant requesting approval of a map amendment to the Official Inland Wetlands and Watercourses Map of the Town of West Hartford. The proposed amendment is based on an on-site soil survey prepared by a professional soil scientist. (Submitted for IWWA receipt on November 3, 2014. Suggest required public hearing be scheduled for December 1, 2014.)

After a detailed review of the application and its related exhibits and after consideration of staff technical comments, the IWWA acted by **unanimous vote (5-0)** (Motion/Prestage; Second/Seder) (Gillette seated for Daniels) to set this matter for public hearing on Monday, December 1, 2014 at 7:15 P.M. in the Legislative Chamber, Room 314, West Hartford Town Hall, 50 South Main Street.

\*\*\*\*\*

**200 Newington Road** – Application (IWW #1018) of Ronald Webber, Applicant requesting approval of an Inland Wetlands and Watercourses Permit to conduct certain regulated activities which may have an adverse impact on a wetland and watercourse area (Jacobs Brook). The applicant proposes to construct an approximately 1,400 sf single family home along associated site improvements. Site improvements include grading, paved driveway and removal of three (3) mature trees. The entire site is located in the 150' regulated upland review area. (Submitted for IWWA receipt on November 3, 2014. Presented for determination of significance.)

After a detailed review of the application and its related exhibits and after consideration of staff technical comments, the IWWA acted by **unanimous vote (5-0)** (Motion/Prestage; Second/Seder) (Gillette seated for Daniels) to find the proposed regulated activity to be **POTENTIALLY SIGNIFICANT** and set this matter for public hearing on Monday, December 1, 2014 at 7:15 P.M. in the Legislative Chamber, Room 314, West Hartford Town Hall, 50 South Main Street.

\*\*\*\*\*

**52 Hillsboro Drive** – Application (IWW #1019) of Joan Maradie, R.O., requesting approval of an Inland Wetlands and Watercourses Permit to conduct certain regulated activities which may have an adverse impact on a wetland and watercourse area. The applicant proposes to construct an approximately 4,000 sf single family house along associated site improvements. (Submitted for IWWA receipt on November 3, 2014. Presented for determination of significance.)

After a detailed review of the application and its related exhibits and after consideration of staff technical comments, the IWWA acted by **majority vote (4-1)** (Motion/Prestage; Second/Seder)(Gillette seated for Daniels) (Gillette voted “no”) to find the proposed regulated activity to be **POTENTIALLY SIGNIFICANT** and set this matter for public hearing on Monday, December 1, 2014 at 7:15 P.M. in the Legislative Chamber, Room 314, West Hartford Town Hall, 50 South Main Street.

\*\*\*\*\*

**OLD BUSINESS SCHEDULED FOR PUBLIC HEARING AND DECISION ON NOVEMBER 3, 2014:**

**110 Sunset Farm Road** - Application (SUB #295) of Crossroad Ventures, LLC (Jim Cassidy, P.E.) requesting approval of a two (2) lot residential subdivision of an approximately 2.04 acre parcel. The property is located in an R-40 single family zone requiring a minimum lot area of 40,000 sf. The proposed lots are approximately 47,552 sf and 41,372 sf. (Submitted for TPZ receipt on October 6, 2014. Required public hearing scheduled for November 3, 2014. *\*\*\*Formal request to withdraw the application by the applicant\*\*\**)

The TPZ acted by **unanimous vote ( 5-0 )** (Motion/Prestage; Second/Seder) (Gillette seated for Daniels) to accept the request for withdrawal.

\*\*\*\*\*

**1700 Asylum Avenue** - Application (SUP #1062-R3-14) of the Town of West Hartford (Brian Coco, West Hartford Little League - Contact) requesting an amendment to the existing Special Use Permit to allow for a 24' x 12' storage shed to remain on site in a proposed new location. (Submitted for TPZ receipt on October 6, 2014. Required public hearing scheduled for November 3, 2014.)

After a review of the application and its related exhibits and after consideration of staff technical comments and the public hearing record, the TPZ acted by **unanimous vote (5-0)** (Motion/Prestage; Second/Freeman) (Gillette seated for Daniels) to **APPROVE** the subject application. During its discussions and deliberations on this matter, the Commission made the following findings and conditions:

1. The proposal meets the finding requirements of Section 177-42A (5a) of the West Hartford Code of Ordinances. In particular:
  - a. The location and size of the use, the nature and intensity of the operations connected with this use, the size of the lot in relation to it and the location of the lot with respect to streets giving access to it are such that it will be in harmony with the appropriate and orderly development of the district in which it is located.

- b. The kind, location and height of all structures and the nature and extent of the landscaping on the lot are such that the use will not hinder or discourage the appropriate development and use of adjacent properties.
- c. The parking and loading facilities are adequate and properly located for the proposed use, and the entrance and exit driveways are laid out so as to achieve maximum safety.

\*\*\*\*\*

**NEW BUSINESS SET DIRECTLY TO PUBLIC HEARING ON NOVEMBER 3, 2014:**

**2 Ferncliff Drive** - Application (IWW #1014) of ZAP Group, LLC (Michelle LeConche, R.O.) requesting approval of an Inland Wetlands and Watercourses Permit to conduct certain regulated activities which may have an adverse impact on a wetland and watercourse area (Hart Meadow Brook). The applicant proposes the construction of an approximately 2,000 sf single family home on an existing parcel along with associated site improvements. In addition to site grading, the proposal includes a paved driveway, clearing of the rear yard, removal of trees, drainage improvements and connecting to sanitary sewer. (Submitted for IWWA receipt determined potentially and set directly to public hearing on November 3, 2014.)

After a detailed review of the application and its related exhibits and after consideration of staff technical comments and the public hearing record, the IWWA acted by **majority vote ( 1-4 )** (Motion/Seder; Second/Freeman ) (Gillette seated for Daniels) (Gillette voted “yes”) to **DENY** the subject application.

During its discussion and deliberation on this matter, the Agency made the following findings:

1. Based upon the application and its supporting documentation, the public comments, evidence and testimony from the public hearing, including the Dr. Danzer written comments dated 10/30/14 and report dated 8/24/14, the Agency finds that the proposed activity will have a significant impact to the Wetlands and Watercourses on site. The proposed tree cutting, grading and development proposed in and around the Wetlands and Watercourses will cause a substantial and irreversible loss of these resources.
2. The Agency further finds that there may be additional Feasible and Prudent alternatives to the proposed Regulated Activity which may have less adverse impact on the Wetlands and Watercourses. The Agency specifically, recommends the applicant investigate alternatives such as:
  - a. Increasing the setback distance of the building and site disturbance activities from the Wetlands and Watercourses.
  - b. Reducing the footprint of the proposed building to smaller than the proposed 1990 s.f.
  - c. Elimination of the proposed rear-yard lawn area from the plan.
  - d. A no build option.

\*\*\*\*\*

**6 Ferncliff Drive** – Application (IWW #1015) of Michelle LeConche, R.O. requesting approval of a map amendment to the Official Inland Wetlands and Watercourses Map of the Town of West Hartford. The proposed amendment is based on an on-site soil survey prepared by a professional soil scientist. (Submitted for IWWA receipt and set directly to public hearing on November 3, 2014.)

After a detailed review of the application and its related exhibits and after consideration of staff technical comments and the public hearing record, the IWWA acted by **unanimous vote ( 5-0 )** (Motion/Freeman; Second/Prestage) (Gillette seated for Daniels) to **APPROVE** the subject application. During its discussion and deliberation on this matter, the Agency made the following findings:

1. The proposed amendment has been prepared by a certified soil scientist and is based on an on-site soil survey following approved wetland identification techniques.
2. A mylar of the approved wetland map amendment shall be provided to the Town Planning Office for filing in the wetland map files. The approved amendment shall also be submitted in electronic format for inclusion into the Town's Geographic Information System.

This notice is given to the West Hartford Town Clerk and to the State of Connecticut Department of Environmental Protection per the requirements of the Inland Wetlands and Watercourses Regulations.

\*\*\*\*\*

**6 Ferncliff Drive** - Application (IWW #1016) of Michelle LeConche, R.O. requesting approval of an Inland Wetlands and Watercourses Permit to conduct certain regulated activities which may have an adverse impact on a wetland and watercourse area (Hart Meadow Brook). The applicant proposes the removal greenhouse room and the reconstruction of a retaining wall as well as associated site grading. The proposed activity is within the 150' regulated area. (Submitted for IWWA receipt determined potentially significant and set directly to public hearing on November 3, 2014.)

After a detailed review of the application and its related exhibits and after consideration of staff technical comments, and the public hearing record the IWWA acted by **unanimous vote (5-0)** (Motion/Seder Second/Prestage) (Gillette seated for Daniels) to **CONDITIONALLY APPROVE** the proposed regulated activity and to direct that a wetland permit to be issued. During its discussion and deliberation on this matter, the Agency made the following findings:

**6 FERNCLIFF DRIVE**  
**INLAND WETLAND APPLICATION IWW#1016**  
**COMPLIANCE WITH SECTION 10.2 and 10.4**  
**STANDARDS AND CRITERIA FOR DECISION**

The request to conduct certain regulated activities at **6 Ferncliff Drive** in West Hartford, Connecticut pursuant to an Inland Wetland and Watercourse application **IWW #1016** should be approved as the Standards and Criteria for Decision as set forth in the Inland Wetlands and Watercourses Regulations for the Town of West Hartford in Section 10.2 have been favorably met. During its discussions and deliberations on this matter, the agency made the following findings:

[1.] The environmental impact of the proposed regulated activity on wetlands or watercourses will not be so significant as to warrant the denial of this application. To support this action, the applicant's environmentalist, Clinton L. Webb, Jr., Senior

Environmental Planner/Wetland Ecologist of C. Webb & Associates, LLC has submitted a report dated October 16, 2014.

[2.] The applicant's purpose for the proposed regulated activity is a valid and useful one which alternatives would cause less or no environmental impact to wetlands or watercourses;

[3.] The feasible and prudent alternatives to the proposed activity have been analyzed by the applicant and the proposed activity is likely to cause less or no environmental impact to wetlands or watercourses than those alternatives.

[4.] The short-term and long-term impacts of the proposed regulated activity on wetlands or watercourses are not to be so significant as to warrant denial of this application.

[5.] The long term productivity of the wetlands or watercourses will not be damaged by the approval of this application;

[6.] The proposed regulated activity will not cause irreversible and irretrievable loss of wetland or watercourse resources.

[7.] The proposed regulated activity neither threatens nor impacts the safety, health or reasonable use of property; and

[8.] The proposed regulated activity and future activities associated with or reasonably related to, the proposed regulated activities which are made inevitable by the proposed regulated activity will not have significant impacts on wetlands or watercourses outside the area for which the activity is proposed.

In addition the Agency considered measures which would mitigate the impact of the proposed activity and may be imposed as conditions of the permit. Such measures include the availability of further technical improvements or safeguards which could feasibly be added to the plan or action to avoid the reduction of or damage to the wetland's or watercourses natural capacity to support desirable biological life, prevent flooding, supply water, control sedimentation and/or prevent erosion, assimilate wastes, facilitate drainage, and provide recreation and open space. The Agency renders its decision to issue this permit on the following considerations and criteria:

- A. That the natural functions and quality of water in local drainage systems both on and off-site shall be preserved and maintained.
- B. That the overall impact of this development on the environment will be kept to a minimum if the conditions imposed by this permit are carried out by the applicant.
- C. There are no reasonable and prudent alternatives which will allow the same activity to be carried out on the proposed site.
- D. During the period when this permit remains in force, the applicant and the Inland Wetland and Watercourses Agency will be working together in good faith to resolve any matters that may arise relative to the environmental impact on the community due to the activities of the applicant.

The Agency hereby authorizes the applicant to conduct a series of regulated activities on a parcel of land which falls under the jurisdiction of the Inland Wetlands and Watercourse Act of the Connecticut General Statutes and the Inland Wetlands and Watercourses

Regulations of the Town of West Hartford. Said parcel of land is located **6 Ferncliff Drive**.

This permit is issued and made subject to the following conditions:

1. Plans of record are incorporated by reference in this permit as fully set forth herein.
2. The wetland permit is subject to full compliance with the Town erosion and sediment requirements.
3. This IWWA permit approval shall be stripped onto the final set plan.
4. The permit shall expire if not exercised within two (2) years from the date of issuance, or date of final resolution of any legal action challenging this permit. This permit shall not be assigned, transferred, sublet or sold to any other person without written permission of the Agency.
5. The applicant will examine additional alternative locations for the extension and discharge for the rear yard roof leaders. Final approval shall be subject to review by the Town Planner.

\*\*\*\*\*

**OLD BUSINESS SCHEDULED FOR PUBLIC HEARING AND DECISION ON  
NOVEMBER 3, 2014:**

**32 Pheasant Chase** - Application (IWW #1011) of John Williamson, Landmark Inc. (Mr. & Mrs. Eric Reimer, R.Os.) requesting approval of an Inland Wetlands and Watercourses Permit to conduct certain regulated activities which may have an adverse impact on a wetland and watercourse area. The applicant proposes the construction of an approximately 20' x 36' in-ground gunite swimming pool along with associated grading. In addition to the swimming pool, the proposal includes a spa, paver patio and 2' high granite wall. (Submitted for IWWA receipt on October 6, 2014. Determined to be potentially significant and set for public hearing on November 3, 2014.)

After a detailed review of the application and its related exhibits and after consideration of staff technical comments, and the public hearing record the IWWA acted by **unanimous vote (5-0)** (Motion/Prestage; Second/Freeman) (Gillette seated for Daniels) to **CONDITIONALLY APPROVE** the proposed regulated activity and to direct that a wetland permit to be issued. During its discussion and deliberation on this matter, the Agency made the following findings:

**32 PHEASANT CHASE**  
**INLAND WETLAND APPLICATION IWW#1011**  
**COMPLIANCE WITH SECTION 10.2 and 10.4**  
**STANDARDS AND CRITERIA FOR DECISION**

The request to conduct certain regulated activities at **32 Pheasant Chase** in West Hartford, Connecticut pursuant to an Inland Wetland and Watercourse application **IWW #1011** should be approved as the Standards and Criteria for Decision as set forth in the Inland Wetlands and Watercourses Regulations for the Town of West Hartford in Section

10.2 have been favorably met. During its discussions and deliberations on this matter, the agency made the following findings:

[1.] The environmental impact of the proposed regulated activity on wetlands or watercourses will not be so significant as to warrant the denial of this application.

[2.] The applicant's purpose for the proposed regulated activity is a valid and useful one which alternatives would cause less or no environmental impact to wetlands or watercourses;

[3.] The feasible and prudent alternatives to the proposed activity have been analyzed by the applicant and the proposed activity is likely to cause less or no environmental impact to wetlands or watercourses than those alternatives.

[4.] The short-term and long-term impacts of the proposed regulated activity on wetlands or watercourses are not to be so significant as to warrant denial of this application.

[5.] The long term productivity of the wetlands or watercourses will not be damaged by the approval of this application;

[6.] The proposed regulated activity will not cause irreversible and irretrievable loss of wetland or watercourse resources.

[7.] The proposed regulated activity neither threatens nor impacts the safety, health or reasonable use of property; and

[8.] The proposed regulated activity and future activities associated with or reasonably related to, the proposed regulated activities which are made inevitable by the proposed regulated activity will not have significant impacts on wetlands or watercourses outside the area for which the activity is proposed.

In addition the Agency considered measures which would mitigate the impact of the proposed activity and may be imposed as conditions of the permit. Such measures include the availability of further technical improvements or safeguards which could feasibly be added to the plan or action to avoid the reduction of or damage to the wetland's or watercourses natural capacity to support desirable biological life, prevent flooding, supply water, control sedimentation and/or prevent erosion, assimilate wastes, facilitate drainage, and provide recreation and open space. The Agency renders its decision to issue this permit on the following considerations and criteria:

- A. That the natural functions and quality of water in local drainage systems both on and off-site shall be preserved and maintained.
- B. That the overall impact of this development on the environment will be kept to a minimum if the conditions imposed by this permit are carried out by the applicant.
- C. There are no reasonable and prudent alternatives which will allow the same activity to be carried out on the proposed site.
- D. During the period when this permit remains in force, the applicant and the Inland Wetland and Watercourses Agency will be working together in good faith to resolve any matters that may arise relative to the environmental impact on the community due to the activities of the applicant.



The Agency hereby authorizes the applicant to conduct a series of regulated activities on a parcel of land which falls under the jurisdiction of the Inland Wetlands and Watercourse Act of the Connecticut General Statutes and the Inland Wetlands and Watercourses Regulations of the Town of West Hartford. Said parcel of land is located **32 Pheasant Chase**.

This permit is issued and made subject to the following conditions:

1. Plans of record are incorporated by reference in this permit as fully set forth herein.
2. The wetland permit is subject to full compliance with the Town erosion and sediment requirements.
3. This IWWA permit approval shall be stripped onto the final set plan. Prior to the start of any construction, related to on-site improvements, site grading or unit construction, the applicant shall install the needed protective measures and shall continuously maintain such throughout the construction process. The requirement of Article VIII, at Section 177-60 through 177-67 of the Code of Ordinances related to Erosion and Sedimentation Control shall govern all site construction activity.
4. The permit shall expire if not exercised within two (2) years from the date of issuance, or date of final resolution of any legal action challenging this permit. This permit shall not be assigned, transferred, sublet or sold to any other person without written permission of the Agency.

\*\*\*\*\*

#### **TOWN COUNCIL REFERRAL AND REQUEST FOR REPORT:**

**Resolution - Infrastructure Improvement Easements** – Resolution granting the Town authority to execute required easements for routine projects to repair and maintain streets and other infrastructures. (Submitted for Town Council receipt on October 28, 2014. TPZ receipt on November 3, 2014.)

After a detailed review of the resolution, its related exhibits and staff technical comments, the TPZ acted by **unanimous vote (5-0)** (Motion/Seder; Second/Prestage) (Gillette seated for Daniels) to **RECOMMEND APPROVAL** of the subject resolution.

\*\*\*\*\*

#### **INFORMATION ITEMS:**

- Calendar – 2015 TPZ Meeting Dates – Draft  
Calendar Adopted. *Motion/Seder; Second/Prestage (Gillette seated for Daniels) Vote: 5-0*

\*\*\*\*\*

**ADJOURNMENT: Motion/Seder; Second/Prestage (Gillette seated for Daniels)  
Vote: (5- 0). Meeting adjourned at 10:50 PM.**

